

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 0771MH-42176-US

First Named Inventor:

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Examiner: **DONALD J. LONEY**

Serial No.: **10/524,367**

§ Confirmation No.: **9853**

Filed: **11 FEBRUARY 2005**

§ Art Unit: **1794**

For: **ADHESIVE BACKED SKINS
AND GRIPS FOR
HANDHELD DEVICES**

RESPONSE TO REQUIREMENT FOR ELECTION OF SPECIES

Filed Via EFS-Web

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted via EFS-Web in response to the Requirement for Restriction dated 15 April 2009, for which the one-month date for response is 15 May 2009.

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)(1)(i)(C)
Date of Transmission: 15 May 2009
I hereby certify that this correspondence is being transmitted to the U.S. Patent and Trademark Office (USPTO) via the USPTO electronic filing system (EFS-Web) on the date shown above.
By: <u>/darencdavis#38425/</u> Daren C. Davis

Please consider the following election and remarks, which begin on page 3 of this paper.

If an extension of time is required to enable this paper to be timely filed and there is no separate Petition for Extension of Time filed herewith, this paper is to be construed as also constituting a Petition for Extension of Time Under 37 CFR § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

No fees are deemed to be necessary; however, the undersigned hereby authorizes the Commissioner to charge any fees which may be required, or credit any overpayments, to Deposit Account No. **502806**.

Please link this application to Customer No. 38441 so that its status may be checked via the PAIR System.

Reconsideration of the application in view of the following remarks is respectfully requested.

ELECTION WITH TRAVERSE

I. ELECTION OF SPECIES

The Office requires an election of one of five alleged species in the present application:

Species I wherein the surface layer is matte;

Species II wherein the surface layer is glossy;

Species III wherein the surface layer is suede;

Species IV wherein the surface layer includes upraised members;
and

Species V wherein the surface layer includes inwardly depressed members.

Applicant elects Species IV, with traverse, which corresponds to claims 10, 12, and 13.

Applicant's election is not an acquiescence in the propriety of the restriction or in the accuracy in the determination and/or identification of the alleged "inventions" in the application. Applicants also request withdrawal of the Requirement to Elect Species as set forth below, as the requirement for restriction is improper.